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Last revised: August 1, 2017

### **UNITED STATES BANKRUPTCY COURT District of New Jersey**

IN RE:	John C Cangelosi		Case No.:		17-33236		
		Debtor(s)	Judge:		RG		
		CHAPTER 13 PLA	N AND MOTIONS	;			
☐Original ☐Motions	Included	✓ Modified/Notice R  Modified/No Notice		Date:	1/242018		
		THE DEBTOR HAS FILE CHAPTER 13 OF THE I					
contains the Plan proportion of the Plan prop	YOUR RIGHTS WILL BE AFFECTED. You should have received from the court a separate <i>Notice of the Hearing on Confirmation of Plan</i> , which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.						
THIS PLAI	N:						
<del></del>	☐ DOES NOT CON SO BE SET FORTH	ITAIN NON-STANDARD F I IN PART 10.	PROVISIONS. NO	N-STANDAF	RD PROVISIONS		
COLLATE	RAL, WHICH MAY	T THE AMOUNT OF A SE RESULT IN A PARTIAL F MOTIONS SET FORTH II	PAYMENT OR NO	PAYMENT A			
	☐ DOES ☑ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.						
Part 1: P	ayment and Lengtl	n of Plan					
	a. The debtor shall pay <u>350.00 Monthly</u> to the Chapter 13 Trustee, starting on <u>December, 2017</u> for approximately <u>60</u> months.						
b.	<ul> <li>b. The debtor shall make plan payments to the Trustee from the following sources:</li> <li> ✓ Future Earnings  ☐ Other sources of funding (describe source, amount and date when funds are available):</li> </ul>						

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c. Us		property to satisfy plant Sale of real property Description: Proposed date for cor	•	s:			
Refinance of real property: Description: Proposed date for completion:							
		Loan modification with Description:42 Norman Proposed date for cor	dy Drive, Par				
d.			nortgage pa	nyment will continue	epending	the sale, refinance or	
e.		loan modification. Other information that	t may be im	portant relating to th	he payme	ent and length of plan:	
a. Ao Trustee and b. Ao	dequate p disbursed dequate p	rotection   NONE  rotection payments will pre-confirmation to _  rotection payments will pre-confirmation will pre-confirmation	_ (creditor). ill be made			o be paid directly by the	
Part 3: Prio	rity Clain	ns (Including Admini	strative Ex	penses)			
a. All allo	wed prior	ity claims will be paid	in full unles	s the creditor agree	s otherw	ise:	
Creditor			Type of Prior			Amount to be Paid	
-NONE-			Administrati	ve			
Morris County	Probation		Domestic su	pport obligations		10,900.00	
b. Dome Check	stic Suppo cone: one ne allowed ined to or	priority claims listed to a government	ed or owed	to a governmental u	: support	oaid less than full amount: obligation that has been full amount of the claim	
pursu Creditor	uant to 11	U.S.C.1322(a)(4): Type of Priority	Ī	Claim Amount	T	Amount to be Paid	
CIEUIIUI		1 ype of Filotily		Ciaiiii AiiiUulii		AITIOUTIL TO DE FAIU	

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#### Part 4: Secured Claims

### a. Curing Default and Maintaining Payments on Principal Residence: 🕡 NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

			Interest	Amount to be Paid	Regular Monthly
		_	Rate on	to Creditor (In	Payment (Outside
Creditor	Collateral or Type of Debt	Arrearage	Arrearage	Plan)	Plan)
M&T Bank	42 Normandy Drive	66,348.15		\$0.00 towards	APP payments to
	Parsippany, NJ 07054			arrears during	be made in
	subject to lien(s) on			LMP	amount of
	Schedule D				\$2473.33 directly
					to M&T during
					LMP

### b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ✓ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

			Interest	Amount to be Paid	Regular Monthly
			Rate on	to Creditor (In	Payment (Outside
Creditor	Collateral or Type of Debt	Arrearage	Arrearage	Plan)	Plan)
-NONE-					

### c. Secured claims excluded from 11 U.S.C. 506: ✓ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

" "	aluo.				
				Amount of	Total to be Paid through the Plan Including Interest Calculation
Na	ame of Creditor	Collateral	Interest Rate	Claim	moduling interest Galculation
-N	ONF-				

#### d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ✓ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

## NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

			Total		Value of Creditor	Annual	Total
		Scheduled	Collateral	Superior	Interest in	Interest	Amount to
Creditor	Collateral	Debt	Value	Liens	Collateral	Rate	Be Paid

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-NONE-								
,	2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.							
	NONE  nfirmation, the st  der 11 U.S.C 130							
Creditor		Collateral t	to be Surre	ndered	Value	of Surrendered Collateral		ning Unsecured Debt
-NONE-								
The Creditor BMW Financial Se g. Secured Cla	f. Secured Claims Unaffected by the Plan ☐ NONE  The following secured claims are unaffected by the Plan:  Creditor BMW Financial Services  g. Secured Claims to be Paid in Full Through the Plan ✔ NONE						provide the Dion	
Creditor		Collate	eral			Total Amount t	o be Paid th	hrough the Plan
-NONE-								
Part 5: Unsecu	ured Claims ⊭ N	IONE						
	separately class	ified allo		priority unsecu tributed <i>pro rat</i>		s shall be pa	id:	
<b>✓</b>	Not less th	nan <u>100</u>	percent					
	Pro Rata o	distributior	n from an	y remaining fu	nds			
b. Sepa	rately Classifie	d Unsecu	red claim	ns shall be trea	ated as foll	ows:		
Creditor				assification	Treatment		Am	ount to be Paid
-NONE-								
Part 6: Execut	ory Contracts a	nd Unexp	oired Lea	ises 🕢 NONE				
(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of								
non-residential	real property leas	ses in this	Plan.)					
All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:								
Creditor	Arrears to be Cured	d in Na	ture of Cor	ntract or Lease	Treatment	by Debtor	Post-Petiti	ion Payment
-NONE-	Plan							
-NONE-								

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Part 7:	Motions 🕢	NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. *A Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ✓ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Amount of Lien to be Avoided
-NONE-						

### b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ✓ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
-NONE-						

## c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ✓ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
-NONE-					

#### **Part 8: Other Plan Provisions**

- a. Vesting of Property of the Estate
  - Upon Confirmation
  - ☐ Upon Discharge

#### b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

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c. Order	c. Order of Distribution						
The Stand 1) 2) 3) 4) 5)	ing Trustee shall pay allowed cla Ch. 13 Standing Trustee Com Other Administrative Claims Secured Claims Lease Arrearages Priority Claims	9					
6)	General Unsecured Claims						
d. Post-p	etition claims						
	ing Trustee  is,  is not author the amount filed by the post-pet	rized to pay post-petition claims filed pursuant to 11 U.S.C. tition claimant.					
Part 9: Modifica	tion W NONE						
	modifies a Plan previously filed	in this case, complete the information below.					
	y the plan is being modified: ents outside plan pre-conf during LM	Explain below <b>how</b> the plan is being modified:  APP to be paid outside plan pre conf.					
	nd J being filed simultaneously w						
Non-Stand							
Any non-s	tandard provisions placed elsewh	nere in this plan are void.					
The Debto	or(s) and the attorney for the Deb	tor(s), if any, must sign this Certification.					
I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.							
Date							
Date: J	Andrea Silverman  Attorney for the Debtor  Date: January 24, 2018 /s/ John C Cangelosi  John C Cangelosi						
Date:		Debtor					
		Joint Debtor					
Signatures							

The Debtor(s) and the attorney for the Debtor(s) if any, must sign this Plan.

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Date	January 24, 2018	/s/ Andrea Silverman	
		Andrea Silverman	
		Attorney for the Debtor	
oortify,	and a managhar of mariana the	at the calcave to top.	
Certify t	under penalty of perjury tha	at the above is true.	
-		at the above is true. /s/ John C Cangelosi	
Date:	January 24, 2018		
-		/s/ John C Cangelosi	
-		/s/ John C Cangelosi John C Cangelosi	

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United States Bankruptcy Court
District of New Jersey

In re: John C Cangelosi Debtor Case No. 17-33236-RG Chapter 13

#### **CERTIFICATE OF NOTICE**

District/off: 0312-2 User: admin Page 1 of 1 Date Rcvd: Jan 26, 2018 Form ID: pdf901 Total Noticed: 11

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 28, 2018.
db +John C Cangelosi, 42 Normandy Drive, Parsippany, NJ 07054-4068

cr +BMW Bank of North America Department, Ascension Capital Group, PO Box 165028, Irving, TX 75016-5028
517181236 +BMW Financial Services, 250 Chestnut Ridge, Woodcliff Lake, NJ 07677-7703

517181236 +BMW Financial Services, 250 Chestnut Ridge, Woodcliff Lake, No 07677-7703 517193244 +BMW Financial Services NA, LLC, AIS Portfolio Services, LP, P.O. Box 165028, Irving, TX 75016-5028 517181237 +KML Law Group, PC, 216 Haddon Avenue, Ste 406, Collingswood, NJ 08108-2812 517181238 M&T Bank, One M&T Plaza, Buffalo, NY 14203

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jan 26 2018 23:34:13 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,

Newark, NJ 07102-5235 517264766 E-mail/PDF: ais.bmw.ebn@americaninfosource.com Jan 26 2018 23:40:11 BMW Financial Services NA, LLC, P.O. Box 3608, Dublin, OH 43016

Baltimore, MD 21264-2182

517287438 +E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Jan 26 2018 23:45:38 Verizon,

by American InfoSource LP as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901 TOTAL: 5

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 28, 2018 Signature: /s/Joseph Speetjens

#### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 25, 2018 at the address(es) listed below:

Andrea Silverman on behalf of Debtor John C Cangelosi court@andreasilvermanlaw.com,

Andrea Silverman on behalf of Debtor John C Cangelosi court@andreasilvermanlaw.com, r62214@notify.bestcase.com

Marie-Ann Greenberg magecf@magtrustee.com

Rebecca Ann Solarz on behalf of Creditor M&T Bank rsolarz@kmllawgroup.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4